

House Republican Press Release

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Press Office: 860-240-8700

Rep. Ward's Bill Protects Property Owners From Eminent Domain



HARTFORD – House Republican Leader Rep. Robert M. Ward today urged his colleagues to pass his proposed legislation to restrict the government's ability to seize private homes under eminent domain proceedings.

The legislation aired during a Judiciary Committee hearing arose from the landmark New London case now before the U.S. Supreme Court that will be decided this spring. Ward has championed the rights of property owners and says it should be Connecticut's policy to limit the ways that homeowners lose their property for the sake of public works projects.

"It is patently unfair that people can lose their homes to some public works projects that are ill defined and are intended to benefit certain for-profit private entities," Ward said. "While it may be up to the Supreme Court to interpret the constitutional basis for the taking of property, the legislature can establish proper public policy that creates greater safeguards for property owners."

The bill would prohibit the taking of owner-occupied homes of four units or less if the seized property is then handed over to a private, for-profit entity. Such is the instance in the New London case that is commonly referred to as *Kelo* for one of the residents who sued the city of New London and the New London Development Corporation for taking her property.

Ward said that when there is private property owners' rights must not be trumped. Ward said that property must be taken for public use, not some vague definition of what constitutes the public good. "Home ownership is a unique part of our American democracy. The right to own your own home should not give way to a developer's desire to assemble a mega project," he said.

Last year Ward's bill had significant bipartisan support but failed by one vote to advance out of committee. He said he is buoyed by the additional support it has received this year because of the national publicity the *Kelo* case has generated.